

City of Pittsburgh / Allegheny County

Task Force on Disabilities

Monday, February 27<sup>th</sup>

Meeting Minutes

**Task Force Members in Attendance**

Jeff Parker, John Tague, Aurelia Carter, James C. Noschese, Richard McGann, Karen Warman, Joe Wasserman

**Task Force Members Absent**

Janet Evans, Gabe McMoreland, Paul O'Hanlon, Sarah Goldstein, Milton Henderson

**Also In Attendance**

Sarah Kinter, Ali R. Abdullah, Alisa Grishman, Zion Carla Brown, Mark Lee, April De la Cruz, Monisha Nelson, Anthony Bell, Dustin Hershel, Tyrell Peppers, Peter Tolenko, Blake Norton, JP Leskovich, Danielle, Maria Driediger, Mercedes, Jacqueline Mohalo, Dawn Smidga, Mary Harthey, Jon Merker

**Welcome and Introduction**

The program started around 1:00 pm and began with the introduction of the Task Force members and individuals in the audience.

**Review and Approval of Treasurer's Report and Minutes**

Paul O'Hanlon was absent, so James Nochese chaired the meeting. There were seven Task Force Members in attendance so there was a quorum. The Treasurer's report was put on hold for the next month's meeting, along with the minutes from January's meeting.

**Nominating Committee Report**

The nominating committee brought forth three motions for a vote by the task force members. The first was to nominate Steve Fowler to replace Katherine Seelman's county position. The motion passed. The second was to nominate Cory Frasier as a new task force member to replace Mr. Parker Parker's city position. The motion passed. The third motion was to nominate Alicia Grishman to fill the next available task force member position, which also passed. The Nominating Committee explained that they would now write letters to the nominees about the

results and they would also write letters to all those who applied to encourage them to still come to the next meetings to stay involved and give their valued inputs.

### **Conversation with Human Relations Commission Staff**

Sarah Kinter, the Deputy Director of the Human Relations Commission, attended the meeting to represent and speak about the Commission's role and responsibilities. She explained that the commission is tasked to investigate cases of discrimination, or illegal difference of treatment, in the areas of housing, employment and public accommodation in accordance with Pittsburgh's code: Chapter 651-659 specifically. These chapters of the code protect other forms of discrimination, such as: age (over 40), race, color, sex, sexual orientation, religion, national origin, disability, and familiar status.

Ms. Kinter explained how the procedure works in regards to filing a complaint or grievance and said it consists of three things: time, place and subject matter. The overall jurisdiction is the city of Pittsburgh and can be filed up to a year, although there are a few exceptions to the time period. The subject matter refers to the various bases of discrimination as previously listed. Ms. Kinter then further clarified that only one agency can investigate such a case, so if someone files in PA and Pittsburgh, then whoever received it first investigates it and takes the case. She further emphasized that the city of Pittsburgh includes some bases of discrimination that are specific to Pittsburgh, which are not included on the federal level such as: sexual orientation and gender identity.

When Mr. Noschese asked who is better to file with, either at the state level or local city level, Ms. Kinter responded that the Commission on Human Relations handles and processes its cases quicker than the federal or state agencies because their work load is smaller. She stated that the commission tries to adjudicate within 100 days of filing. Mr. McGann then asked: what's the commission's preparedness and response to people having disability related issues with their landlords? Ms. Kinter answered that disability complaints make up the majority of the housing complaints. These are mostly reasonable accommodation or reasonable modification complaints so in regards to changes in policy or change in the physical infrastructure or unit. Ms. Kinter mentioned that she has templates that they give out for outreach to educate people on that. Further, she explained that there are forms online to send an inquiry contact form, which is used just to contact them, but does not mean a complaint was filed, so they will then follow up with you to proceed.

Finally, Mr. Parker asked about which complaints are more common, in terms of the numbers of cases and percentages, so he could have a better idea and understanding. Ms. Kinter explained that about 70% of all complaints are for employment, around 15% are for housing and the remainder is public accommodation. This concluded the conversation with the Commission on Human Relations and everyone thanked Sarah Kinter for taking the time to come and present this information to the Task Force.

### **ADA Office Activities**

Richard Meritzer explained that his Supervisor asked for the Task Force's input on what all the ADA office is doing in the city of Pittsburgh because it was stated that it was not doing that much or was not as effective as it should be. This discussion was also added to the agenda so that the members were also aware of everything the ADA coordinator and his office is working on.

Mr. Meritzer handed out a list of all the current and on-going projects that are being worked on and explained that this could also be found online on the ADA office webpage.

\*\*\*Please find the attached list at the end of this document after “adjournment” section\*\*\*

From the list, Richard highlighted the following projects:

1. Grants projects
  - Applying for funding for the poured rubber sidewalks that are safer and more accessible
2. New Videos/Updated Videos
  - Council videos interpreted and captioned
3. Policy Tasks
  - One Step Project
  - Accessible Business Directory
  - Hospital Compliance and Guidelines
4. Legal
  - Transition Plan (facilities surveys, department code, review of all department policies, etc.)
5. On-going Meetings\*
  - 21 & Abel, Oakland 4 All, Lawrenceville Group, Hoarding Task Force, Health and Literacy, Strategic Planning Committee etc.

\*Mr. Meritzer explained that he attends as many meetings as possible and that he could easily work a 40 hour work week just by going to every meeting he is invited to.

During the discussion, Mr. Wassermann asked Richard: What’s the biggest obstacle to the One Step Project? Why have only eight been completed? Mr. Meritzer explained that businesses are initially resistant and we cannot force them to comply legally. Mr. Meritzer further clarified that the main reason for the One Step project to focus on the storefronts (as opposed to the entire facility, such as accessible bathrooms and elevators etc.) is because the focus is on the entry to get people in the door, then businesses will be more inclined to work on other issues. Mr. Meritzer also mentioned that this project is unique to Pittsburgh and that it is actually getting regional, even national, recognition because we are the only ones doing this. Furthermore, by having it as a voluntary system, we are creatively able to get around the legal aspect and yet still have many comply.

Mary Hartley, from 21&Abel, expressed her concern that it is very difficult for people to find all this information and incentives to do projects like this. For example, most people do not know there are tax credits and other incentives related to ADA compliance that they could receive. Therefore, she recommended that the department spends money on marketing to get the information to the public in a better, more efficient way. Mr. Meritzer said he would look into this as a possible policy task and research it further.

As for applying for funding for the poured rubber sidewalks, Mr. McGann started the discussion by stating that some people like the holes/cracks in existing sidewalks to help them know what is going on around them and to help guide them. He asked Mr. Meritzer why this type would be better. Mr. Meritzer responded that they are safer if someone falls, easier and cheaper to repair

and fix and more accessible overall. Mr. Wassermann added that he finds the curbed streets with the dot patches on sidewalks quite adequate and to his liking.

Ms. Carter asked Mr. Meritzer what the ADA Strategic Planning Committee was. Mr. Meritzer explained that this was a meeting where a representative from every city department gets together to discuss internal city-structure issues related to the disability community that affect their staff.

Ms. Carter also mentioned that she did not see anything on the list in regards to emergency response and asked Mr. Meritzer whether there was anything we are doing for that. She expressed her concern that if some kind of major crisis/ potential threat happened in the city that those with disabilities were not left there forgotten about or vulnerable. Mr. Meritzer agreed with her and expressed his concern for this topic as well; stating that we need to get on this and set up meetings with someone from the Police, Fire Department or Public Safety. He further stated that he would try to get someone from one of those departments to come to the next meeting to discuss this topic.

Ms. Grishman wanted to know whether there was a calendar with all events related to disabilities on the ADA webpage. Mr. Meritzer explained that there used to be, but the intern that was managing that left and that he was not able to keep up with it due to the level of technology skills needed to do so. Ms. Grishman again emphasized that there needs to be a more complete, comprehensive calendar of events so that if someone wants to have an event or plan something, then they know if that conflicts another event that is already planned. This way someone can easily see what events they could go to that offer special services for those with disabilities. Mr. Meritzer said that if he could get someone to set this up then we can do it. Alicia offered that she would gladly do that and that she has the tech-savvy skills to do it.

The last discussion was about the Snow Angels program. Mr. McGann asked if there were any updates or new developments with the program and whether they needed more training of any sorts. Mr. Meritzer said we would reach out to someone from the program and see what there is to report.

### **Report on Benchmarks of other ADA Offices**

Jon Merkel, one of the ADA Policy Interns, presented on what other cities are doing for ADA policy and compliance. The purpose for this research was so that the task force members, as well as the Department of City Planning, have a better understanding of everything the Pittsburgh ADA office is doing in comparison to other US cities. Mr. Merker presented the following information:

\*\*\*See attachment of report and findings at the end of this document after “adjournment”.

### **Vox Pop**

Ms. Grishman announced three upcoming events that she wanted to let everyone know about:

1. Disability Day of Mourning. Wednesday, March 1<sup>st</sup> at 3pm.
2. “I Will Die” Campaign. Saturday, March 4<sup>th</sup> at noon.
3. Sign-A-Thon. Saturday, March 25<sup>th</sup> from noon to 4pm.

This was the only discussion for Vox Pop.

**Adjournment**

The meeting was adjourned at 2:58 pm. The next meeting will be scheduled next month on Monday March 20<sup>th</sup> at 1:00 pm in the first floor Conference Room of 200 Ross Street.

**Attachment 1: Rundown on Current Activities for the ADA Coordinator**

Project	Activities	Status	Staff
<b>Grants</b>			
2014 & 2015 Funding	Monitor expenditures	Ongoing	Karen
Floor Tiles	Looking at spending old money	Evaluating Consultant Options	Karen / Shuying
Market Square	Develop a strategy for Tree Pitts	Pending	Kevin
Interpreting and captioning for Council videos	Identifying Funding Sources	In process	Shuying
Green Sidewalks	Look for funding for McKinley Park	Funding Sources Identified	JP
	Contacting Parks Conservancy about Chicken Hill Project	Making funds available for that project	
Accessible Pittsburgh Contract	Sent to Consultant for Signature /	With City Solicitor	Karen / Shuying
Get Braille Operational	Make Sure Program is on Computer. Meet with Library staff	In Process	JP

Picture Books for Police	Await budget	Budget Request Submitted	Karen / JP
Tablets and Programs for interpreting for police	Find the money	Budget Request Submitted	Shuying
Interpreting Classes for staff	Adding to Hearing and Deaf Services Contact	Budget Request Submitted	Karen / JP
Hearing Loops	Awaiting processing	In signature process	Karen / JP
Ramp at Sheraden Senior Center	Investigate Cost	Drafted design - Currently developing cost estimate	Kevin
Accessible Rest Room in First floor of City County Building	Investigate Cost	Drafted design - Currently developing cost estimate	Kevin
Green Sidewalks in front of City Owned Facilities	Investigate Cost	In process	JP
Braille cards for Emergency Responders	Investigate purchase	New	Shuying

Hearing and Deaf Services Contact	Adding money and changing Scope	Contract in Signature process	Karen / JP
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## Policy

Hospital Compliance Guidelines for the Mental III	Starting the drafting	Background Research Done	Jon
One Step Packet	Process applications	In process	Peter
	Set up meetings with Neighborhood Business groups to explain the program	Pending	
	Sending out Letters	In process	
Hospital Compliance for people with intellectual and development disabilities.	Setting up meetings with hospitals to discuss their accommodations for patients with mental illness.	On Hold	Jon
Accela	Meet with Todd Graff to restart our participation	Pending	Peter
Audible Barricades	Promote use of Audible Barricades	Draft Finished	Jon
New Icon	Drafting	Legislation drafted and approved by Public Works	
Task Force Committee on Police	Meetings	Ongoing	
Task Force Committee on Development	Symposium	On Hold	
Downtown Parking	Help Landlords meet their requirements	On Hold	Jon
Briefing Guidelines from the Hospital Compliance Guidelines	Draft Briefings	Pending	

for the Deaf, Deaf-blind and hard of Hearing.			
Benchmark ADA Standards	Investigate what others Cities are doing	Draft finished	Jon
Business District Directory	Survey Business Districts for Accessible Businesses	Verifying and entering Data	
		Designing Directory	Kevin
Visitability Tax Credit	Produce Annual Report	Ongoing	
	Marketing Committee meetings	Ongoing	Peter
	Sending out Letters to Board of adjustment applicants	On Hold	Peter
Snow Angels	Monitoring and assisting	Ongoing	
<b>Legal</b>			
311s, ZBA, Individual complaints	Legal research, response, field visit, follow-up, and attempting to complete all old requests ASAP	Ongoing	
Transition Plan	Department Questionnaire	Report being drafted	
	Review Code for Compliance and present report	Legislation and regulations drafted	
	Review all City Facilities for accessibility	Ongoing	
	Implement a program to bring City pools into compliance within 10 years	In Process	
	Evaluate Trails for Accessibility	In Process	

	Evaluate playgrounds for Accessibility	In Process	
Compliance at the Airport	Identify remaining issues and responsible parties	Pending	Jon
Parks and Recreation Book	Identified icons on various disabilities to identify accessibility for the booklet.	Contacted Program Directors	Sam
Reviewing Development Plans	Comment regarding accessibility requirements and best practices	On Going	Peter
CDAP and Planning Commission	Attending Design review meetings and review plans.	On Going	Peter
Sidewalk Project	Reviewing sidewalk to see where sides don't exist or are in poor condition and where sidewalk ramps are needed	Pending	
	Bates Street Identifying barriers and working to correct them	Pending	
	Butler, Baker and West end  Contacting residents about putting in sidewalks	On Hold	
	Sidewalk Replacement for Trees	Pending	

ADA Strategic Planning Committee	Quarterly meetings	Pending	
Epilepsy Training	Work to see that first responders get appropriate training	Pending	Jon
Zoning Board of Adjustment Hearings	Attend Meeting	Pending	
<b>Outreach</b>			
Web Site Accessibility Audit	Auditing the City Web Site for accessibility Issues and writing reports	Ongoing	
LinkedIn	Set up and migrate groups for ADA Office	Pending	
Twitter	Expand ADA Office reach into the disability community and Schedule Tweets	Ongoing	
Pinterest	Expand ADA Office reach into the disability community and Schedule Pins	Ongoing	
Instagram	Expand ADA Office reach into the disability community and Schedule posts	Ongoing	
Emails	Weekly News Briefs	Ongoing	Richard
Facebook	Manage information  Weekly Posts	Ongoing	
Hospital Compliance Guidelines Webpage	Rolling it out	Pending	

Hospital Compliance Blog	Create a blog for the IDD Guidelines	Pending	
Task Force meetings	Set up meetings and produce minutes.	Ongoing	Richard
Special Events Permits	Review Special Events Permits	Pending	Richard
Interns and volunteers	Select & supervise interns & volunteers to assist me	First Round of interviews completed this week	Richard
Accessible Pittsburgh	Produce 5 -7 minute spots for the City Cable station	Contract Amendment being written	Karen
State Network	Set up meetings of ADA Title II Coordinators	On Hold	
Washington County Task Force	Working with Local organizer	On Hold	
Westmoreland County Task Force	Working with Local organizer	On Hold	
Vine	Develop a program	Pending	
You Tube	Set up platform	Pending	
Web Page	Update ADA Web Page	On Going  Add documents; update links to make active.	
Greater Pittsburgh CIL	Help with organizing	On Hold	
ADA Calendar	Update Events	On Hold	
Stigma Project	Documenting Activities	On Hold	
Photo Documentation	Documenting Activities	On Hold	

Hoarding Web Page	Add a section to the ADA Web Page	Being Developed	
<b>Meetings</b>			
Attend Local Housing Options Team meetings	Attend Meetings	Pending	
ADA Strategic Planning Committee	Collectively determining mission, strategic initiatives.	Ongoing	
Attend Hoarding Task Force Meeting	Setting up Hoarders committee	Approved by Task Force - Identifying participants	Jon
Health Task Force Meeting	Represent the City	Pending	Jon
Attend Committee for Accessible Transportation meetings	Represent the City	Ongoing	Jon
Regional Health Literacy Coalition Work Group	Committees are meeting to implement 1 <sup>st</sup> year of 4 year plan to improve health literacy	Ongoing	Jon
Strip District Pedestrian Safety Meetings	Work with the Committee on Pedestrian Safety Issues	Pending	Jon
21 and Able	Attend Meetings	Ongoing	Peter
Para-transit Representation T.I.R.E.S & ATWIC	Attend Meetings	Ongoing	Jon
Oakland for All	Attend meetings	Ongoing	Jon
State Health Literacy Coalition	Attend Meetings	Ongoing	Jon

## **Attachment 2: Jon's ADA Benchmark Report**

### Overview of research

This document will compare the current services provided by the A.D.A coordinator with equivalent offices found in cities which we have found to be exemplary in their disability services in an effort to ensure that the City of Pittsburgh cements its status as a leading city in its provision of disability services. The five cities which we have found to be excelling in their services are Chicago, New York, San Francisco, D.C. and Los Angeles. This document goes over what is required of an A.D.A. coordinator in terms of keeping a city in compliance with the A.D.A, as well as reviewing our current disability services and comparing them to the disability services offered by A.D.A. offices in the aforementioned cities. After going over these services I will briefly overview why salience is a crucial element in providing effective services for the disability community.

### Department Size and Structure

One of the major things to note about the difference between Pittsburgh and the cities we are comparing ourselves against is that all of these cities are much larger market than Pittsburgh, and this is reflected in the structure and size of their A.D.A service related offices. Not a single one of these cities has their A.D.A related position incorporated into their respective departments of city planning, but rather their disability services constitute an entire office in all of these cities. Even beyond this, New York City has Disability Service Coordinators which allow the city to utilize city programs which already exist, such as housing, employment and transit services, and accommodate them to serve the disability community. This is a very novel approach, as all other cities studied have all of their disability services contained to these disability offices, and I will discuss this approach in greater detail in the section on Disability Service Coordinators. Before we approach any specifics about the services that these offices provide, it is important to look at the variance in funding that each of these cities receives to provide their disability services.

Chicago MOPD Funding: \$5,346,697

Los Angeles MOD Funding: \$3,047,487

D.C. ODR Funding: \$1,769,855

D.C. DDS Funding: \$166,607,421

While I could not obtain the level of funding allocated to the New York and San Francisco offices, this array should help indicate that although D.C. does provide by far the most comprehensive disability services, much can still be done regardless of the level of funding we receive to provide disability services. That being said, since some of the improvements that the office of the A.D.A. coordinator is currently attempting to provide cannot be covered under our budget, a fair portion of the operations of the office of the A.D.A. coordinator at this current time is grant application. While this is not necessarily an issue, as there are many grants which can be applicable to projects which improve disability services, this constitutes another service the office must provide, which takes away from the office's ability to actually provide A.D.A related services.

## A.D.A Services/Responsibilities

There are two basic functions associated with the A.D.A. coordinator position, or equivalent positions, actual A.D.A. compliance services, and general disability services. A.D.A. compliance services are composed of ensuring that all city buildings, services and activities are accessible to individuals with disabilities, providing assistance for filing A.D.A. complaints, and providing interpretation services upon request, or at least referrals to local interpretation services. The only services that are legally mandated under the A.D.A. fall under this category of A.D.A. compliance services, however every city studied has gone beyond compliance services with additional disability services to serve their disability communities.

## D.C. Study

Although D.C. is the upper-end in terms of both the quality and sheer amount of services they provide, they are a useful example to show the prioritization of services these cities have. Of the cities that were analyzed, D.C. is the only one who has split their disability services into two departments, the Office of Disability Rights (ODR) and the Department on Disability Services (DDS). The basic division that delineates between these two entities is that the ODR fulfills all of the A.D.A required compliance services that the city is supposed to provide, and the DDS provides any additional disability services that the city government desires.

## O.D.R. Services

The specific services provided by the ODR include:

- Providing training to D.C. agencies on ADA and other disability laws and regulations
- Providing DC government documents in braille upon request
- Assisting in the provision of requested transcripts for DC Government videos that require captioning.
- Assisting in the provision of equal access to your organization's programs, benefits and services upon request.
- Providing information to people with disabilities about their rights and offer technical assistance and guidance on the requirements of the Americans with Disabilities Act (ADA) and other laws affecting people with disabilities upon request.
- Assisting you with the process of filing a formal complaint if you feel your rights under the ADA have been violated.
- Providing sign language interpreter services for most DC agency meetings and public functions.

These basic functions of providing avenues for people to file A.D.A complaints, ensuring the accessibility of city buildings and information, and providing interpretation services upon request or, in the case of cities with lesser funding providing referrals to city businesses who can provide interpretation services, seem to be core functions which seem to be adequately done by all of the disability offices that were researched. While the DDS provides many useful services for the disabled residents of D.C, these ODR functions are the ones that respond to the actual legal requirements of the A.D.A. and as a result, should likely be prioritized before too many additional services are focused on. It is important to note that these services do currently sit under our position of A.D.A. coordinator, however with all of the added responsibilities that are tangled into the position, some of these services may not be prioritized by the city to the extent that they should be. The fortunate part of these services is that though they are essential and probably require additional investment, they cost a fraction of what it takes to provide the

additional DDS services, and our ability to provide these services in a more effective way would take less investment than it would to provide the majority of the individual additional disability services seen below.

One crucial aspect common throughout most of A.D.A. compliance services, such as the ones provided by the ODR, is that they often require proactivity on behalf of the people requesting the services. Besides ensuring the accessibility of city buildings and services, most services such as providing city information in accessible formats, providing interpretation services, and disability law information are all services that are generally available upon request, meaning that those who wish to utilize them must have information of the service's existence and knowledge of the correct authority to contact for the implementation of the service. This is one of the major driving forces behind the need for publicity of disability services, as in many cases government cannot act proactively to give the disability community the services we offer.

### D.D.S. Services

The DDS offers the most extensive services of any disability services office in the country, so while off the bat there is no way disability services in the City of Pittsburgh could receive the amount of funding required to perform all of their services for the disability community in Pittsburgh, there are important practices we should seek to replicate. The DDS organizes itself structurally by the type of disability each part of the department can provide services for. The DDS has an entire fledgling administration for people with Intellectual and Developmental Disabilities as well as a unit for Services for People with Blindness and Visual Impairments, an Independent living unit and a Vocational Rehabilitation Services unit, a youth employment program, and supported employment services. However, a large part of why D.C. disability services are so lauded is their "Person Centered-Thinking" approach. The Service Planning and Coordination Division (SPCD), a section of their Developmental Disabilities Administration, assists all people eligible for DDA services to receive the services identified in their person-centered Individual Service Plan (ISP). This division plans, coordinates and facilitates the provision of quality services and supports, reviews the implementation and delivery of services and supports identified in the ISP, takes corrective action as necessary, assists with problem solving, and advocates for the person and his/her family. While we currently do not provide the level of additional disability services that would require an ISP, if we are to choose to extend our additional disability services, the coordination of these services to fit each individual's needs is a key element that should not be overlooked.

This distinct separation between the A.D.A. compliance services and additional disability services is useful in terms of thinking about possible expansion of Pittsburgh disability services. While the addition of extra additional disability services, such as housing modification for example, may be useful, expanding our A.D.A. compliance via the expansion of our A.D.A. compliance related services, may be just as helpful and more cost effective, by providing an equally needed service at a much lower budget point.

### Current Pittsburgh Practices

Along with the basic A.D.A. compliance services the City of Pittsburgh provides, the additional disability services associated with the A.D.A coordinator include: PGH Start on Success, the One Step Program, Hearing Loops, Snow Angels, the Visitability Tax Credit, and the Pedestrian Safety initiatives. These are

certainly not the only services or initiatives done by our A.D.A. coordinator, but they are the ones for which there is public information available.

These current services, beyond mere A.D.A. compliance, can be divided into 4 main categories; Employment services, A.D.A. Title 3 encouragement, Housing Services and miscellaneous improvements.

### Employment Services

Currently our only A.D.A. related employment service is the PGH start on Success program. While this has proven effective at helping handfuls of individual students with disabilities obtain gainful after high school, it is only a slight gesture to the issues that city residents with disabilities may have concerning employment. While San Francisco and Los Angeles appear to be doing close to nothing on the front of disability employment services, Chicago, New York and D.C. all have vastly more complete employment services than the City of Pittsburgh currently does. Chicago and D.C. are the frontrunners for this category, as both cities provide counseling as a function of their disability departments, allowing these services to be tailored to the needs of individuals with disabilities to help them take advantage of their city's respective other resources to help obtain employment. Further information about these respective programs are available at:

D.C. DDS: <https://dds.dc.gov/service/supported-employment-dda-and-rsa>

Chicago MOPD: <https://www.cityofchicago.org/city/en/depts/mopd/provdrs/emp.html>

However, since the addition of full-fledged disability employment services would be heavily costly, we could do something similar to New York and merely provide referrals to private firms that can provide disability employment services. New York does not appear to have any disability related employment services besides an awareness campaign entitled NYC at Work, which shows examples of people with disabilities having successful careers, however their website is clear and provides information about local firms and how they can help people with disabilities get on a path to employment.

### A.D.A. Title 3 Encouragement

Title 3 of the A.D.A. Prohibits places of public accommodation from discriminating against individuals with disabilities. Though individuals can choose to sue businesses who do not provide sufficient access to services, there are no enforcement measures that the city can directly take against businesses to promote accessibility. Our current program to help ensure compliance with Title 3 is the One Step Program. Since the City of Pittsburgh has no enforcement power to ensure business compliance with Title 3, the One Step Program does the next best thing by encouraging businesses to take the first small measure of ensuring the accessibility of their entrances to people with disabilities. The One Step program is a notable success of the City of Pittsburgh, as no other city that was studied had a program to encourage voluntary A.D.A. compliance rather than the alternate approach of adding additional punishment to those who fail to comply with the A.D.A.

The only other way that cities have been able to further promote Title 3 compliance is through lawsuit incentives, the method used by the cities of San Francisco, Los Angeles and Chicago. Lawsuit incentives and fines provide added weight to the current A.D.A. law to promote that businesses voluntarily comply with the A.D.A or face the consequence of additional financial loss along with the cost of fixing whatever facility or service that is out of compliance. Though through standard Department of Justice procedure businesses can be sued for being adequately accessible, both the State of California and the city of

Chicago have put auxiliary measures that strengthen punishment in place in the hope that it encourages businesses to voluntarily comply with the A.D.A rather than needing to be sued to provide reasonable access.

In the case of the cities in the state of California, a plaintiff can collect damages in the amount of three times the amount of actual damages, but in no case less than \$4,000 for each and every offense. While this has been effective in terms of getting businesses to comply with Title 3, the added incentive for the plaintiff has resulted in a troubling side-effect that some plaintiffs and lawyers have emerged who make their entire income off of hunting down businesses who do not comply with Title 3 and having businesses pay the minimum \$4,000 of damages per case.

The way that the city of Chicago ensures compliance is through the Chicago Human Rights Ordinance. Among other things, the Ordinance ensures that no public accommodation shall withhold, deny, curtail, limit or discriminate concerning the full use of such public accommodation by any individual including those with disabilities. The punishment for violating the ordinance is a fine of no less than \$100.00 and not more than \$500.00 for each offense. However, a notable condition of this fine is that every day that a violation continues past when it is identified constitutes a separate and distinct offense of the Ordinance. The nature of this Ordinance both strongly disincentivizes businesses from failing to provide adequate accessibility or failing to fix inaccessible facilities and does not incentivize people to become serial plaintiffs and terrorize businesses with lawsuits like the California law does.

Since the City of Pittsburgh does not currently have great business compliance with A.D.A. regulations, a measure similar to this may be helpful in catalyzing business owners to finally make the changes required to make their properties accessible. Though initiatives done by the A.D.A. coordinator, such as the One Step Program, are of value, the only legal channel of enforcement for Title 3 is through individual law suits and thus we should all methods that are available to us to make enforcement of this type effective. The City of Pittsburgh has a Human Relations Commission which is almost identical in description to the one in Chicago, which produced the Human Rights Ordinance which encourages Title 3 compliance in Chicago. While it is not necessarily the case that our Commission on Human Relations must go about enforcing Title 3 of the A.D.A in the same way that its counterpart in Chicago chose to, they are the only authority in the city with the power to enforce such a doctrine, which replicates the function of the A.D.A. but increases enforcement capability, and so options concerning their involvement to enforce the A.D.A. should be considered.

### Housing Services

Currently the only housing related service provided in the City of Pittsburgh is the Visitability tax credit, which gives people doing home construction or remodeling a slight tax credit if they choose to make said construction accessible. I do not currently know the exact conditions of the Visitability tax credit or how effective it has been, but it is at least something comparable with the housing services that the big market cities provide. The seemingly standard housing service that is provided by the cities of Chicago, and New York are home modification programs.

The Chicago MOPD offers home accessibility modifications that will allow people with disabilities, under the age of sixty, to make their living environment accessible. Modifications can include: ramps, porch and stair lifts, roll-in showers, widened doorways, accessible sinks and cabinets. All modifications provided by this service are performed in accordance with federal, state and municipal accessibility legal

requirements. Modifications are limited to a maximum of \$10,000 per project and are performed by licensed, insured and experienced home remodeling companies contracted by the city.

The Project Open House (POH) is New York City's home modification project. It has a similar but more expressed goal than the City of Chicago of removing small readily achievable architectural barriers within an individual's home for qualified applicants with a permanent disability, thereby assisting them in gaining greater independence.

The NYC MOPD works with City agencies to assure that the voice of the disabled community is represented, and that programs and policies address the needs of the community. POH is administered by MOPD and the NYC Department of Housing Preservation and Development ("HPD"), and provides for the removal of readily achievable residential barriers that do not require obtaining a permit from the NYC Department of Buildings ("DOB") and do not require the professional services of a NYS Licensed Architect.

Examples of work covered under this program include:

- Widening doorways within non-structural partitions;
- Conversion of steps into ramps no greater than 18" in height;
- Replacing existing plumbing fixtures with accessible fixtures;
- Removal of sink base cabinets to provide an accessible work surface and/or a sink;
- Installation of accessible amenities such as grab bars, door openers, accessible door handles, accessible height shelving;
- Installing accessible railings;
- Installation / conversion of residential doorbell and/or smoke and carbon monoxide detectors when an audible or visual system is needed; and
- Other barrier removals that may be required by individuals with disabilities subject to review by MOPD.

The reason these home modification services are such a vital service to the disability is the lack of accessible housing for people with disabilities in middle income brackets. While there are commonly accessible public housing options for people with low income, people with disabilities who have incomes that fall above the public housing threshold may still need their houses to be accessible, and may not have the financial resources to do a costly home modification themselves. While I cannot address whether or not the Visitability tax credit is also a sufficient solution to this problem, these home modification services the Chicago and New York provide certainly are successful at filling this crucial gap in accessible housing services.

### Miscellaneous Improvements

The City's current miscellaneous services include: Snow Angels, the hearing loops initiative and pedestrian safety initiatives. These are all relatively small quality of life improvements that I would say are representative of the bulk of the initiatives that the office of the A.D.A. coordinator works on. All of these initiatives are not legal necessities and are not absolute necessities in the sense that housing and employment services are, but they nonetheless constitute important improvements for the ability of people with disabilities to live in the City of Pittsburgh.

**Snow Angels:** Snow Angels is an initiative to help residents of the city who are elderly or who have disabilities comply with the legal necessity to have clear sidewalks in the event of snow. This program assigns volunteers to the individuals who need their sidewalks cleared and who lack the ability to do so, so that they can still comply with this law. This program is fairly straightforward in terms of the need it addresses, and it seems to do so effectively. This program is the standard solution for the cities in colder climates that were studied, as Chicago has essentially the same program under the name Snow Corps.

**Hearing Loops:** Hearing Loops is one of the grant funded programs that the office is currently attempting to implement. Hearing Loops are a fairly cheap room renovation that improves the ability of all people with hearing disabilities within the room to hear. The office of the A.D.A. coordinator is currently trying to implement hearing loops in nursing homes where they would have an obviously large population which could benefit their implementation, and we are hoping to be able to provide them in city and county buildings at some point in time.

**Pedestrian Safety:** The A.D.A. coordinator's office has a multitude of initiatives under the title of pedestrian safety initiatives such as reimbursement for sidewalks damaged by city trees, the gradual replacement of older generation curb ramps for the newest more visually accessible model, and individual street assessments for their sidewalk infrastructure. All of these measures try to ensure that pedestrians' disabilities of any type can safely navigate the city and get to their desired destination in a safe manner.

## Possible Additional Services

While the City of Pittsburgh currently provides many disability services, there are some major types of services that are provided in larger market cities but yet not currently in Pittsburgh. Some of these service areas, such as paratransit, are more costly than others, and may not be within the realm of possibility for a city of our size, but all of these service gaps are nonetheless worth mentioning. The notable service types provided by other cities which we entirely lack are: Personal Assistance, Additional A.D.A. compliance related services, Paratransit, and Service Coordination.

### Personal Assistance

The only city I found which offered some sort of personal assistance/homemaking service was Chicago. Their Personal Assistance/Homemaker Program allows qualified individuals with disabilities who live in the city of Chicago to receive in-home services for a limit of four (4) hours per week and include but are not limited to: Personal health care such as hygiene and grooming, Housekeeping tasks, (laundry, washing dishes, mopping, sweeping, etc.), Money management, (budgeting, paying bills, etc.), Shopping, Assistance with preparing meals, Help with other daily living tasks that will enable the client to live independently. While I'm sure that this is not the cheapest service to provide, I'm sure a need exists for it that is currently covered in some but not all cases by private firms.

### A.D.A. compliance related services

While the standard set of services that each city must provide for A.D.A. compliance is fairly standard, there are some cities that go above the standards in certain ways to help their disability communities. The main additional compliance services that are provided are mediation/training services, Disability Service Facilitators, and the provision of communication devices for people who are deaf or hard of hearing.

## Mediation/Training

The two cities that provide disability training and mediation are Chicago and Los Angeles. Chicago provides disability training to help people identify appropriate approaches and strategies when interacting with people with disabilities in professional, social and recreational/leisure settings. Participants will learn how to be inclusive of individuals with disabilities, while avoiding discriminatory behavior. This is an obviously helpful service, as many people simply do not understand how to courteously behave around people with disabilities, especially in a professional environment. Los Angeles provides a similar but more encompassing service in their disability mediation. Los Angeles provides mediation services to persons with disabilities or those whose conflicts involve a person or persons with disabilities. Mediation services are also provided to those (with a disability or not) who are presented with disability questions. The ADA/DMP works in collaboration with the City Attorney's Dispute Resolution Program, and has special expertise in Americans with Disabilities Act (ADA) mediation.

Mediation is provided for:

- Landlord/Tenant - Evictions, Conditions, Access, Service Animals
- Neighbor/Neighbor - Parking, School, Peace and Quiet, "NIMBY" Issues
- Employer/Employee - Reasonable Accommodations, Wages, Promotions, Testing
- Families - Spouses, Parents, Children, Partners
- Businesses/Organizations/Agencies - Auxiliary Aids and Services, Access, Reasonable Accommodations, Insurance Coverage, Government Benefits
- Access - Architectural, Readily Achievable
- HIV/AIDS Discrimination - Employment, Rental Discrimination

## Disability Service Facilitators

Disability Service Facilitators are a position present in all departments of New York City government to comply with and carry out each agency's responsibilities under the ADA and other federal, state and local laws and regulations concerning accessibility for persons with disabilities. This position helps resolve some of the issues surrounding a department's knowledge of how to accommodate their services to fit the needs of residents with particular disabilities.

The functions of the disability service facilitator shall include, but not limited to:

- Serve as the primary contact within that respective agency for persons with disabilities requesting auxiliary services;
- Coordinate auxiliary services for persons with disabilities;
- Respond to inquiries from members of the public concerning accessibility;
- Develop agency policies and procedures to ensure full programmatic and communication accessibility for persons with disabilities;
- Conduct periodic training for agency staff on disability access issues, as may be required by the head of such agency;
- Provide accessible notices to members of the public advising them of their rights under the ADA, the New York State Human Rights Law, the New York City Human Rights Law, and regulations promulgated by such agency related to persons with disabilities, as well as the agency's ADA grievance procedure;

- Assist in the investigation of any complaint communicated to such respective agency alleging its noncompliance with the ADA and/or other applicable federal, state, and local laws relating to people with disabilities, or alleging any actions that would be prohibited by such laws;
- Document and maintain records of complaints made pursuant to the ADA and other applicable federal, state, and local laws relating to people with disabilities, and forward such complaints to the Mayor's Office for People with Disabilities (MOPD);
- Analyze and make recommendations to the head of each agency and to the MOPD to resolve physical and programmatic access issues; and
- Perform any other functions as may be assigned by the head of each agency.

The existence of the position of disability service coordinator in all city departments has allowed New York to have a unique approach to disability services, by adjusting their existing city services to accommodate the needs of residents with disabilities, rather than providing separate services for individuals with disabilities in their office of disability. This has a couple major benefits: first, the city is able to provide more expensive services, such as paratransit, which would not be possible within a mere office of disability; and second, it allows the city to keep all of its disability services salient, using the office of disability as a referral agency in addition to its role as a provider of disability services.

This first point is fairly straightforward, as services such as paratransit require huge initial implementation costs, that an office the size of the office of disability may not be able to cover. Using other existing departments who already provide similar services provides a way around this, as for the example of paratransit, transit authorities already have the funding and infrastructure to successfully operate a disability service this large.

The second point, that this approach opens up the ability for the office of disability to publicize services, requires more explanation. While there are some disability services we provide, such as pedestrian safety initiatives, which require no effort by the affected disability community to be effective, to the majority of disability services require knowledge and proactivity on the part on the disability community for proper utilization. Most all A.D.A. compliance services, such as interpretation requests and A.D.A. complaints, as well as housing services and employment services, require those in need of them to proactively know that such a program exists and to contact the correct parties for assistance. Accordingly, the use of disability service facilitators, which allows the disability office to be used for the purpose of publicizing the disability services that a city offers boosts the effectiveness of the services provided, due to the need for people to know what disability services can do for them.

#### 4.2.3 Communication Devices

The final additional A.D.A. compliance related service is the provision of communication devices for people with disabilities. I don't know how it was arranged, but the city of Chicago offers FREE amplified phones, teletypewriters (TTYs) and CapTel devices to qualified individuals through the Illinois Telecommunications Access Corporation. This is obviously slightly beneficial to the deaf or hard of hearing community in Chicago, as it is just one minor expense that they do not have to cover with their own money.

#### Paratransit

Paratransit is another costly service that I am almost certain cannot be provided by the City of Pittsburgh. The only city to have a general paratransit system in place to serve their residents with disabilities is New York City, which notably has over 800,000 residents with disabilities they have to serve (over twice the entire Pittsburgh population), and has the paratransit service provided by

contactors for it's already massive transit authority. The name of their service is Access-A-Ride (AAR) and it provides transportation for people with disabilities who are unable to use public bus or subway service for some or all of their trips. It is a full shared ride, door-to-door Paratransit service. The New York City Metropolitan Transit authority administers AAR, which has private carriers under contract to provide the service. The Service is available 24 hours a day, seven days a week, including holidays. The one-way fare for each registered passenger and each guest is the same as the full fare on mass transit, meaning that the city is still likely incurring a loss for providing these services. Personal Care Attendants (PCAs) ride free when accompanying AAR customers whose IDs indicate they travel with a PCA. They allow one paying guest per trip to accompany the customer.

While the City of Pittsburgh may not have a large enough disabled population to merit the contracting of a stand-alone paratransit service for the Port Authority, there are possible alternate avenues that could be pursued to provide a similar service to people with disabilities in Pittsburgh if additional paratransit services are sought by the City. Some car service companies, including Uber, have started experimenting with the viability of providing paratransit services in select cities and it looks like contacting them to provide said services may be a possibility if we wish to provide this service.

### Service Coordination

As addressed in the small section about the structure of the D.C. disability services department and office, I mentioned the importance of their Individual Service Plans (ISPs) which are used to help coordinate which DDS services are needed for each individual who requests assistance from the DDS. More than just D.C., every city that was studied besides San Francisco offered some sort of Service Coordination or another related service to help individuals with disabilities access whatever city services that may assist them, or in the case of Los Angeles, access whatever referrals to city firms that can provide the services they need. When it comes to service coordination, I must give the caveat that its usefulness only arises when the City of Pittsburgh has sufficient disability related services such that they merit coordination, but even if we lack some services, coordination may still be a useful service is there are firms in the greater Pittsburgh area to whom we can refer people for whatever services we lack.

### Publicity and Clarity

As previously mentioned, a large portion of the power of the services provided by disability offices depend on how salient they are to the communities they attempt to serve. Due to the fact that the majority of disability services require the people who wish to utilize them to act proactively for them to be provided, promoting awareness of the services that are in place to help the disabled community know the proper course of actions that are required to obtain help, is a crucial element of the provision of disability services. Ways in which these functions of publicity and clarity have been addressed are through service coordinators and clear websites.

Back to the example of New York City, one of the byproducts of their use of disability service facilitators is absolute clarity in the disability services that the city or firms within the city are able to provide. Since other departments provide major disability services, their office of disability has more of an ability to focus on publicizing the city's disability services than it would otherwise have without additional governmental support. Like most cities, New York has some disability services that are provided by other departments other than their disability office, however rather than putting all these services on their respective agency website, New York City uses their disability office website as a hub for all disability services provided by the city. Their website organizes all available services, including its services and

those offered by other departments and private firms, by category (i.e. transportation, housing) rather than only listing the services actually provided by the office. While this could possibly lead to some slight added confusion as to who actually provides each individual service, it ensures that those seeking specific help can learn about the correct available services to match their individual needs. This type of approach to website formatting seems to provide much more direction to people looking for disability services than our current 3-part list of links found on our A.D.A. website, which seems to require people to have the requisite information of an agency or firm's name and function as there is no clarifying information as to what each firm or agency can provide.

While methods such as improving website comprehensiveness are useful for improving publicity of services, service coordination within an office of disability can similarly help to get people access to the services they need. Rather than having people aware of the individual services they need, service coordination takes an alternate approach and informs them of the proper services so long as they can come into contact with their office of disability. While Pittsburgh might not currently have the critical mass of disability services to merit large scale comprehensive service coordination, it may still be a useful tool if there are firms in the city that can offer individual disability services to city residents. If this were the case, the A.D.A. coordinator's office in the City of Pittsburgh could take on a similar role to the office of disability in New York, by being a center point of contact and providing referrals or recommendations for services offered by firms in the city, similarly to how cities such as the city of New York provide referrals to other city agencies and departments.